

REMARKS

The Office Action dated December 4, 2009 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

Claims 1-63 are currently pending in the application and are respectfully submitted for consideration.

Rejection under 35 U.S.C. § 103

Claims 1-11 and 13-63 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Salmivalli (U.S. Patent No. 6,324,399) in view of Herrero (U.S. Publication No. 2005/0009520). The Office Action took the position that the combination of Salmivalli and Herrero teaches all of the features of the rejected claims. Applicants respectfully traverse the rejection. Reconsideration of the claims is respectfully requested.

Independent claim 1, from which claims 2-18 and 38 depend, recites a method including receiving at least one registration request to register a user requesting a service in a network entity in an internet protocol multimedia core network subsystem of a communication system and providing the network entity with control information indicating at least one limitation on a plurality of simultaneous registrations. The control information indicates a restriction on a number of different contact addresses that can be simultaneously registered using a single public user identity. The method also includes controlling the registration based on the control information.

Independent claim 19, from which claims 20-31 depend, recites a system including a network entity configured to receive at least one request to register a user requesting a service in a network entity in an internet protocol multimedia core network subsystem and a providing unit configured to provide the network entity with control information indicating at least one limitation on a plurality of simultaneous registrations. The control information indicates a restriction on a number of different contact addresses that can be simultaneously registered using a single public user identity. The system also includes a controlling unit configured to control the registration based on the control information.

Independent claim 32, from which claims 33-37 depend, recites an apparatus including receiving means for receiving at least one registration request for registration of a user requesting a service in an internet protocol multimedia core network subsystem and receiving control means for receiving control information indicating at least one limitation on a plurality of simultaneous registrations. The control information indicates a restriction on a number of different contact addresses that can be simultaneously registered using a single public user identity. The apparatus also includes controlling means for controlling the registration based on the control information.

Independent claim 39, from which claims 40-52 depend, recites an apparatus including a receiver configured to receive at least one registration request to register a user requesting a service in a network entity in an internet protocol multimedia core network subsystem. The receiver is further configured to receive control information

indicating at least one limitation on a plurality of simultaneous registrations. The control information indicates a restriction on a number of different contact addresses that can be simultaneously registered using a single public user identity. The apparatus also includes a controller configured to control the registration based on the control information.

Independent claim 53, from which claims 54-63 depend, recites method, including receiving at least one registration request to register a user requesting a service in a network entity in an internet protocol multimedia core network subsystem, and receiving control information indicating at least one limitation on a plurality of simultaneous registrations. The control information indicates a restriction on a number of different contact addresses that can be simultaneously registered using a single public user identity. The method includes controlling the registration based on the control information.

As will be discussed below, Salmivalli and Herrero, both individually and in combination, fail to teach or suggest all of the features of the presently pending claims.

Salmivalli generally discusses a method of controlling subscriber registrations in a mobile communication system where subscriber data concerning visiting subscribers is temporarily stored in a visitor location register. FIG. 3 of Salmivalli describes that a test is made to see if a subscriber registration quota is set on the PLMN (public land mobile networks) of the mobile station for controlling subscriber registrations. See column 5, lines 15-45. A subscriber registration quota means that only a limited percentage of the register capacity of the network is allocated to the subscribers of the specific PLMN. The

subscriber registration quota is presented by means of a maximum number of simultaneous subscriber registrations.

Herrero generally describes a method for supporting multiple registrations from the same use requested from different terminals in a telecommunication system. The method allows further multiple session establishment to any of those terminals. In the home server of the user it is stored a plurality of private identities related to the subscriber data of the user together with, at least, a public identity. Each registration of the user contains a public identity assigned to the user and a private identity among the plurality of the private identities assigned to the user.

However, contrary to the contentions made in the Office Action, Salmivalli does not teach or suggest, at least, “providing the network entity with control information indicating at least one limitation on a plurality of simultaneous registrations, said control information indicating a restriction on a number of different contact addresses that can be simultaneously registered ***using a single public user identity***,” emphasis added, as recited in independent claim 1 and similarly recited in independent claims 19, 32, 39, and 53. Rather, in Salmivalli, only a limited percentage of the register capacity of the network is allocated to the subscribers of the specific PLMN. There is no description or suggestion providing that restriction is based on a number of different contact addresses that can be simultaneously registered ***using a single public user identity*** as recited in the independent claims.

Furthermore, FIG. 5 of Salmivalli describes that registrations may be limited in connection with location updating, when the mobile station has moved to the area of another visitor location register VLR. See column 6, lines 7-32. The subscriber group of the mobile station is identified on the basis of the IMSI (International Mobile Subscriber Identity) sent in connection with the location updating request. In point 6 of Office Action, the Office Action appears to construe the description of Samivalli providing the “PLMN derived from the IMSI” to be describing or to be the same as “...single public **user** identity,” as recited in independent claim 1 and similarly recited in independent claims 19, 32, 39, and 53. However, PLMN refers to public land mobile network, which is a mobile network. Typically, a PLMN is limited to one particular country, in addition to which each country may comprise a plurality of mobile communication networks whose coverage areas may be partly or completely overlapping.” Therefore, a person of ordinary skill in the art would appreciate that PLMN is not referring to identity of an (end) user as the Office Action appears to contend. A person of ordinary skill in the art would appreciate that the description of Samivalli does not teach or suggest, “said control information indicating a restriction on a number of different contact addresses that can be simultaneously registered *using a single public **user** identity,*” as recited in independent claim 1 and similarly recited in independent claims 19, 32, 39, and 53.

In addition, Applicants respectfully submit that the description of Salmivalli as whole makes it evident that the focus of this reference is that a limitation can be set on how many subscribers **per network operator (PLMN)** can be simultaneously registered

to the network. In contrast, in the present features of the independent claims clearly set forth on how many contacts (e.g. devices) **a single user** can simultaneously register to the network.

Herrero, in turn, does not cure the deficiencies of Salmivalli. Although Herrero describes that each registration of the user contains a public identity assigned to the user and a private identity among the plurality of the private identities assigned to the user, such description, in combination with that provide in Salmivalli, does not teach or suggest, at least, “providing the network entity with control information indicating at least one limitation on a plurality of simultaneous registrations, said control information indicating a restriction on a number of different contact addresses that can be simultaneously registered ***using a single public user identity***,” emphasis added, as recited in independent claim 1 and similarly recited in independent claims 19, 32, 39, and 53. Similar to Salmivalli, nothing in Herrero provides a teaching or suggestion that would enable a person of ordinary skill in the art to provide the network entity with control information using a single public user identity. Accordingly, a combination of Salmivalli and Herrero would be deficient in teaching all the claimed features of independent claims 1, 19, 32, 39, and 53.

Furthermore, it is fundamental that rejections under 35 U.S.C. §103 must be based on evidence comprehended by the language of that section. *See In re Lee* 61 USPQ2d 1430 (CA FC 2002) (*citing In re Grasselli*, 713 F.2d 731, 739, 218 USPQ 769, 775). In the instant case, the Office Action has limited the extent of the evidence by simply

concluding that “...it would have been obvious to a person of ordinary skill in the art to combine the teachings as described by Slamivalli with the teachings described by Herrero to arrive at the claimed invention *for having multiple registrations active simultaneously where a user can receive calls in any of the registered terminals and further allowing delivery of internet multimedia services.*” (Emphasis added) No evidence was provided in the Office Action to support such holding.

If the U.S. Patent and Trademark Office wishes to take Official Notice that the features of “providing the network entity with control information indicating at least one limitation on a plurality of simultaneous registrations, said control information indicating a restriction on a number of different contact addresses that can be simultaneously registered ***using a single public user identity***,” emphasis added, as recited in independent claim 1 and similarly recited in independent claims 19, 32, 39, and 53 are notoriously well known, Applicants respectfully request to the U.S. Patent and Trademark Office that supporting evidence be provided. The Federal Circuit has cautioned that an Examiner must show reasons that the skilled artisan, confronted with the same problems as the inventor and with no knowledge of the claimed invention, would select the elements from the cited prior art references for combination in the manner claimed. *In re Rouffet*, 47 USPQ2d 1453, 1458 (Fed. Cir. 1998).

While “Official Notice” may be relied upon, as noted in MPEP §2144.03, these circumstances should be rare when an application is under final rejection or action under 37 CFR §1.113. According to MPEP 2144.03, “the examiner may take official notice of

facts outside of the record which are capable of instant and unquestionable demonstration as being ‘well-known’ in the art,” emphasis added. However, if the Applicant, according to MPEP 2144.03 traverses such an assertion the Examiner should cite a reference in support of his or her position. In short, the rules of the U.S. Patent and Trademark Office do not allow discretion on the part of the Examiner. Accordingly, Applicants traverse the present obviousness rejection and requests that either the Examiner supports its assertion with an Affidavit or withdraw the rejection.

The outstanding rejection would appear to have taken the teachings of the present invention and applied the same to modify Salmivalli and Herrero, as set forth in the Office Action, to then disclose the presently claimed invention. Applicants respectfully assert that the *prima facie* burden has not been met.

In view of the foregoing, Applicants respectfully requests that claims 1-63 be allowed.

Claim 12 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Salmivalli (U.S. Patent No. 6,324,399) in view of Herrero (U.S. Publication No. 2005/0009520) and further in view of Sonti et al. (U.S. Patent No. 6,108,540). The Office Action took the position that the combination of Salmivalli, Herrero, and Sonti teaches all of the features of the rejected claims. Applicants respectfully traverse the rejection. Reconsideration of the claims is respectfully requested.

Because Salmivalli, Herrero, and Sonti must teach all the recitations of the base

claim and any intervening claims of dependent claim 12, the arguments presented above supporting the patentability of independent claim 1 over Salmivalli and Herrero are incorporated herein to support the patentability of dependent claim 12.

Sonti generally describes a method for allowing subscribers of a telecommunications network to change easily between sets of desired features is disclosed. The home location register stores multiple profiles of all subscribers within its serving region along with an active profile number field indicating the list of features currently available to each subscriber. Upon initial registration of the mobile station at a mobile switching center communicating with the home location register, a default profile is extracted from the home location register. Upon dialing a special code or number, a subscriber can prompt a change of profile containing a different set of features for different users of the mobile station or for different times of day or geographic areas. In this way, subscribers bypass the routine of having to contact an agent in order to add or remove features and are allowed to switch among multiple profiles at will. A personal identification number can be used to enhance the security of the profile change procedure.

However, similarly to Salmivalli and Herrero, Sonti is devoid of any teaching or suggestion of “providing the network entity with control information indicating at least one limitation on a plurality of simultaneous registrations, said control information indicating a restriction on a number of different contact addresses that can be simultaneously registered *using a single public user identity*,” emphasis added, as recited

in independent claim 1. Nothing in Sonti teaches or suggests that a method may use a single public user identity. Sonti is silent as to teaching that control information may indicate a restriction on a number of different contact addresses that can be simultaneously registered using a single public user identity.

Therefore, Sonti fails to cure the deficiencies of Salmivalli and Herrero. It is respectfully requested that claim 12 be allowed.

Conclusion

For at least the reasons presented above, it is respectfully submitted that claims 1-63, comprising all of the currently pending claims, patentably distinguish over the cited art. Accordingly, it is respectfully requested that the claims be allowed and the application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, Applicants' undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, Applicants respectfully petition for an appropriate extension of time.

Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

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